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Attorney Docket No. 3126.01US03

# CONTINUING APPLICATION TRANSMITTAL

Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

This is a request for filing a

☒ Continuation ☐ Divisional

application, under 37 C.F.R. § 1.53(b), of pending prior Application No. 10/414,909, filed April 16, 2003 for: EMBOLISM PROTECTION DEVICES by: Matthew F. Ogle. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Enclosed are:

- ☒ Specification and Abstract - 52 pages  
☒ Drawings - 12 sheets (Figs. 1-29D)  
☒ Combined Declaration and Power of Attorney  
☐ Newly executed  
 or  
☒ Copy from prior application

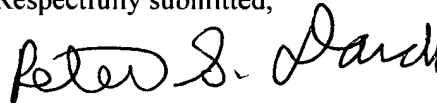
The filing fee has been calculated as shown below:					
	No. Filed	No. Extra	Small Entity Rate	OR	Large Entity Rate
Basic Fee			\$ 385	OR	\$ 770
Total Claims	27 - 20	= 7	x 9 = \$63	OR	x 18 = \$*
Independent Claims	4 - 3	= 1	x 43 = \$43	OR	x 86 = \$*
Presence of Multiple Dependent Claim			+ 145 = \$0	OR	+ 290
		<b>TOTAL</b>	<b>\$ 491</b>	<b>TOTAL</b>	<b>\$</b>
*If the difference is less than zero, enter "0"					

- ☒ A check in the amount of \$491.00 is enclosed. The Commissioner is hereby authorized to grant any extensions of time and to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required during the entire pendency of this application to Deposit Account No. 16-0631.
- ☐ Amend the specification by inserting before the first line the sentence: --This is a ☐ Continuation ☐ Division of Application No. \_\_\_\_\_ filed \_\_\_\_\_, which in turn is a \_\_\_\_\_.

3. ☐ Priority of foreign application(s) No. \_\_\_\_\_ filed \_\_\_\_\_ is claimed under 35 U.S.C. § 119. The certified copy was filed in prior Application No. \_\_\_\_\_ on \_\_\_\_\_.
4. ☒ The prior application is assigned of record to MedCity Medical Innovations, Inc. recorded at Reel 014070, Frame 0579.
5. ☒ Preliminary Remarks – 3 pages.
6. ☐ An Information Disclosure Statement is enclosed.
7. ☒ Applicant is entitled to small entity status in accordance with 37 CFR 1.27.
8. ☐ CD-ROM or CD-R in duplicate, and Compact Disc Transmittal are enclosed.
9. ☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) (nonpublication).
10. ☒ Address all future communications to:

Patterson, Thunte, Skaar & Christensen, P.A.  
4800 IDS Center  
80 South 8th Street  
Minneapolis, Minnesota 55402-2100

Respectfully submitted,




Peter S. Dardi, Ph.D.  
Registration No. 39,650

CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number EV 319195236 US. Date of Deposit: March 22, 2004. I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Peter S. Dardi  
Name of Person Making Deposit

  
Signature

EV319195236US